

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SALON PHOENIX COSMETOLOGY LLC and
SALON HAIRROIN, INC., on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

GROUPON, INC.,

Defendant.

Case No. 1:22-cv-07162

Hon. Lindsay C. Jenkins

**ORDER GRANTING
PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF
CLASS COUNSEL FEES, REIMBURSEMENT OF EXPENSES,
AND SERVICE AWARDS**

THIS MATTER having come before the Court on Plaintiffs' Unopposed Motion for Approval of Class Counsel Fees, Reimbursement of Expenses, and Service Awards filed on September 20, 2023; and

The Court having reviewed Plaintiffs' moving papers, including Plaintiffs' memorandum of law and supporting declaration, as well as the case file; and

Good cause having been shown, for the reasons expressed herein;

IT IS ON THIS 16 DAY OF NOVEMBER, 2023, HEREBY ORDERED,

ADJUDGED AND DECREED:

1. Terms capitalized in this Order have the same meanings as those used in the Settlement Agreement.

2. The Notice Plan adequately and reasonably afforded members of the Settlement Class the opportunity to respond to Plaintiffs' Unopposed Motion for Approval of Class Counsel

Fees, Reimbursement of Expenses, and Service Awards. The Court has considered and rejected any objections to this Motion that were timely and properly submitted.

3. The Settlement confers substantial benefits on the Settlement Class members.

4. Plaintiffs have submitted the Declaration of Raphael Janove in connection with Plaintiffs' Unopposed Motion for Approval of Class Counsel Fees, Reimbursement of Expenses, and Service Awards that adequately document Class Counsel's vigorous and effective pursuit of the claims of Plaintiffs and the Settlement Class before this Court. Class Counsel's efforts include, among other things: (i) a thorough investigation of the facts that gave rise to this case; (ii) speaking to several small business owners affected by Groupon's conduct and scouring reviews from Groupon's customers; (iii) an analysis of publicly available material, including Groupon's historic press releases and investors statements, and an evaluation of Groupon.com; (iv) retaining the investigative services of MK Analytics, a women-owned data mining and analytics consultancy, to analyze merchant-specific webpages on Groupon.com in order to understand the scope of the alleged misconduct; (v) conducting extensive legal research to develop a Lanham Act class action theory unique to this case, given that this case features a novel legal theory; (vi) researching and drafting pleadings; (vii) engaging in extensive settlement discussions that spanned more than four months, which included nearly weekly calls between Plaintiffs' counsel and Defendant's counsel; (viii) analyzing documents and information produced by Defendant in discovery for the purposes of the settlement, with the assistance of MK Analytics; and (ix) exchanging multiple drafts of the Settlement Agreement and associated documents.

5. The Court finds that Class Counsel's reimbursement request for \$10,591.34 in expenses is reasonable and necessary. The Court therefore finds that Class Counsel's incurred expenses should be reimbursed in the time and manner specified in the Settlement Agreement.

6. The Court finds the Class Counsel fees request of \$139,408.66 is fair and reasonable and within the range of attorneys' fees ordinarily awarded in this District and in the Seventh Circuit Court of Appeals.

7. The Court therefore grants Class Counsel fees and expenses in the total amount of \$150,000, as agreed to in paragraph 3(c)(i) of the Settlement Agreement. Groupon shall pay the Class Counsel fees in the time and manner specified in the Settlement Agreement.

8. The Court further finds that service awards of \$3,000 for each of the Named Plaintiffs is also within a reasonable range. The Court therefore grants service awards of \$3,000 each to Salon Phoenix Cosmetology LLC and Salon Hairroin, Inc. for their contributions in this case. Groupon shall pay the service awards in the time and manner specified in the Settlement Agreement.

Enter: 22-cv-7162

IT IS SO ORDERED.

DATED: 11-16-2023



Hon. Lindsay C. Jenkins
United States District Judge